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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF OREGON
5 PORTLAND DIVISION
6

7 STEPHEN J. KNIFTON,)

8 Plaintiff,)

9 vs.)

10 CAROLYN W. COLVIN,)
11 Commissioner of Social Security,)

12 Defendant.)

No. 03:13-cv-01169-HU

ORDER FOR EAJA FEES

13
14 Robyn M. Rebers
15 Robyn M. Rebers LLC
16 P.O. Box 3530
17 Wilsonville, OR 97070

Attorney for Plaintiff

18 S. Amanda Marshall
19 United States Attorney
20 Ronald K. Silver
21 Assistant United States Attorney
22 1000 S.W. Third Avenue, Suite 600
23 Portland, OR 97204-2904

24 David Morado
25 Regional Chief Counsel, Region X, Seattle
26 Carol A. Hoch
27 Special Assistant United States Attorney
28 Office of the General Counsel
Social Security Administration
701 Fifth Avenue, Suite #2900 M/S 221A
Seattle, WA 98104-7075

Attorneys for Defendant

1 BROWN, United States District Judge:

2 In this case, the plaintiff Stephen J. Knifton sought judicial
3 review of the Commissioner's decision denying his application for
4 Supplemental Security Income benefits under Title XVI of the Social
5 Security Act, 42 U.S.C. § 1381 et seq. The administrative record
6 was a very short 276 pages. Knifton filed a sixteen-page opening
7 brief, raising two assertions of error by the Administrative Law
8 Judge ("ALJ"). The brief apparently generated negotiations between
9 the parties, who subsequently filed a stipulated motion for sen-
10 tence four remand, addressing all of Knifton's concerns regarding
11 the ALJ's decision. I granted the motion, and remanded the case.

12 The parties have filed a stipulated motion requesting an award
13 of \$3,048.43 in fees for Knifton's attorney Robyn M. Rebers,
14 pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C.
15 § 2412, subject to any offset as described in *Astrue v. Ratliff*,
16 560 U.S. 586, 130 S. Ct. 2521, 177 L. Ed. 2d 91 (2010). Ms. Rebers
17 has submitted time records indicating she expended a total of 16.3
18 hours on this case, which I note is fewer than the twenty-to-forty-
19 hour range Judge Mosman found to be a "reasonable amount of time to
20 spend on a social security case that does not present particular
21 difficulty." *Harden v. Comm'r*, 497 F. Supp. 2d 1214, 1215 (D. Or.
22 2007) (noting "some consensus among the district courts" on this
23 point; citing cases).

24 Adjusting the EAJA statutory fee of \$125 per hour using the
25 Ninth Circuit's formula for cost-of-living adjustments, see
26 *Nadarajah v. Holder*, 569 F.3d 906, 918 (9th Cir. 2009) (citing
27 *Thangaraja v. Gonzales*, 428 F.3d 870, 876-77 (9th Cir. 2005));
28 *Jones v. Espy*, 10 F.3d 690, 692-93 (9th Cir. 1993); the EAJA-

1 adjusted hourly rate for 2013 is \$187.02, and for May 2014 is
2 \$188.04. Multiplying counsel's hours for the respective years
3 results in attorney fees of \$261.83 for 2013 (1.40 x \$187.02), and
4 \$2,801.80 for 2014 (14.9 x \$188.04), for a total of \$3,063.63 for
5 both years (i.e., \$15.20 less than the amount to which the parties
6 have stipulated).

7 I find that the stipulated fee of \$3,048.43 is reasonable
8 under the circumstances, and **grant** the parties' motion. Knifton is
9 awarded the sum of **\$3,048.43** in attorney's fees under the EAJA. If
10 Knifton's EAJA fees are not subject to any offset allowed under the
11 Department of the Treasury's Offset Program pursuant to *Ratliff*,
12 then the check for EAJA fees shall be made payable to Knifton's
13 attorney Robyn M. Rebers, based on Knifton's assignment of such
14 fees to his attorney. See Dkt. #19-1, p.2. Any check for EAJA
15 fees shall be mailed directly to Knifton's attorney Robyn Rebers at
16 P.O. Box 3530, Wilsonville, Oregon 97070.

17 IT IS SO ORDERED.

18 Dated this ^{25th} ~~1st~~ day of ^{June, 2014} ~~July, 2011~~.

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20 
21 ANNA J. BROWN
22 United States District Judge
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